

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

PAMELA PACKER,

Plaintiff,

vs.

JVC AMERICA, INC.,

Defendant.

)
)
)
)
)
)
)
)
)
)

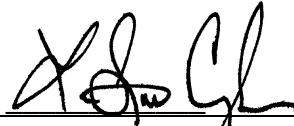
CV-05-RRA-0610-W

Memorandum Opinion

Before the court is the defendant's motion for partial summary judgment. (Doc. 13). The magistrate judge filed a report and recommendation on September 13, 2007 (doc. 27), and an addendum to the report and recommendation on September 26, 2007 (doc. 31). In both, the magistrate recommends that the defendant's motion for summary judgment be denied. The defendant filed objections to the original report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the addendum to the report and recommendation, and the objections, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are genuine issues of material fact and that the defendant is not entitled to judgment as a matter of law. Accordingly, the defendant's motion for summary judgment is due to be DENIED. An appropriate order will be entered.

Done this 18th day of October 2007.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
124153